

**MARINE MAMMAL COMMISSION
4340 EAST-WEST HIGHWAY, ROOM 905
BETHESDA, MARYLAND 20814**

8 April 2004

The Honorable Sam Farr
US House of Representatives
1221 Longworth House Office Bldg.
Washington, DC 20515-0517

Dear Congressman Farr:

Thank you for your March 11, 2004, letter concerning the Marine Mammal Commission's Advisory Committee on Acoustic Impacts on Marine Mammals. The Commission appreciates the support of you and your colleagues in these endeavors. We, too, saw the need for a forum like this where various interests can discuss how sound affects marine mammals in a free exchange, outside the courtroom. The Commission encourages public participation in Advisory Committee meetings and workshops and would be especially happy to have interested Congressional staff attend. You raise several important issues which the Commission addresses below.

The Commission has shared your letter with the Advisory Committee members. However, we have not sent this response to all Advisory Committee members for their input or approval. Accordingly, please consider that this response is from the Marine Mammal Commission. We plan to discuss your letter and how the Committee wants to respond at its next meeting in late April.

State participation: As the Commission was forming and appointing members to the Advisory Committee, we were very aware of the role of states in managing their coastal resources. We contacted several states about participating on the Advisory Committee and found that California has been most active on this issue. We are pleased to have a representative of the California Coastal Commission on the Advisory Committee. The representative is working with the Coastal Commission and maintaining contact with colleagues from counterpart organizations in other states on the activities of the Advisory Committee.

Ecosystem-based approach: As an agency created by the Marine Mammal Protection Act, the Commission is committed to considering ecosystem-level concerns related to ensuring the health and survival of marine mammal species. We have encouraged the Advisory Committee to think broadly about its mandate to review and evaluate information about the impacts of human-generated sound on marine mammal populations and other components of the marine environment.

Subcommittee on Synthesis of Current Knowledge: When chartering this subcommittee, Committee members nominated scientific experts representing their interests to participate on the subcommittee and agreed to the membership you described in your letter. During the initial conference call of the subcommittee, the Commission and other people realized that the subcommittee lacked expertise in marine mammal behavior. Dr. Peter Tyack, of Woods Hole

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Oceanographic Institution and a member of the Advisory Committee, has now agreed to participate on the subcommittee. The full Advisory Committee has approved his participation. At its initial meeting, the subcommittee discussed ways to make sure that it considers ecosystem approaches to anthropogenic sound in the oceans. The subcommittee will report on its initial work at the April meeting of the full Advisory Committee.

FWS participation: The U.S. Fish and Wildlife Service is represented on the Advisory Committee. The Commission looks forward to the Service's participation in the deliberations.

International forum: We agree that the Advisory Committee should address the international aspects of sound and marine mammals, and we are planning to do so. At the initial Advisory Committee meeting, the Commission hosted a three-hour discussion to ascertain the feasibility of holding an international policy workshop to support the Advisory Committee's efforts. We asked the members to provide input on both the content and the format of such a workshop, and Commission staff presented several options to the group. We have since held several conference calls with members of the Advisory Committee and other interested parties. The Commission's project manager recently attended a meeting in London where she discussed the Committee's ideas about topics that an international workshop might address. She identified several groups that may have an interest in working with us on an international workshop. We anticipate holding a workshop in London this fall with the goals of informing the Advisory Committee on (1) international efforts in research and management/mitigation related to marine mammals; (2) trans-boundary issues regarding management and mitigation of acoustic impacts; (3) the extent to which the issue of marine mammals and sound has received attention abroad; and (4) innovative solutions that we might employ in the United States.

The Commission has two other international activities underway to support this effort. We are sponsoring an international Beaked Whale Technical Workshop to discuss the vulnerability of beaked whales to anthropogenic sound. The Commission is also working with the National Marine Fisheries Service on an international symposium entitled Shipping Noise and Marine Mammals: A Forum for Science, Managers, and Technology to be held in Arlington, Virginia, May 18–19, 2004. The purpose of this symposium is to increase our understanding of this emerging issue and forge new partnerships by which to handle it in the future.

The Commission looks forward to working with you and your colleagues as we continue these discussions on anthropogenic sound and its effect on marine mammals and prepare our report to Congress. Please do not hesitate to contact us if you have additional comments or concerns.

Sincerely,

A handwritten signature in black ink, reading "David Cottingham". The signature is fluid and cursive, with a long horizontal stroke extending from the end.

David Cottingham
Executive Director